

BEFORE THE
Federal Communications Commission
WASHINGTON, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)
)
Amendment of the Commission's Rules)
Regarding Multiple Address Systems)

WT Docket No. 97-81

To: The Commission

COMMENTS
OF
COOPERATIVE POWER ASSOCIATION

COOPERATIVE POWER ASSOCIATION

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Cooperative Power Association (Cooperative Power), by and through its undersigned counsel and pursuant to Section 1.415 of the Rules and Regulations of the Federal Communications Commission (FCC), 47 CFR § 1.415, hereby submits these Comments on the FCC's Notice of Proposed Rule Making (Notice) in the above captioned proceeding.

I. Statement of Interest

1. Cooperative Power is an electric power generation and transmission cooperative, financed by the Rural Electrification Administration. Cooperative Power serves 17 distribution cooperatives located in rural Minnesota. These member cooperatives service over 180,000 customers in southern and western Minnesota.

2. Cooperative Power relies on a large communications network to enable it to provide service to its member cooperatives in a safe, dependable and efficient manner. An integral component of Cooperative Power's network is its Multiple Address System which is licensed for operations in the 928/952/956 MHz bands. Cooperative Power's MAS System consists of 40 polling master stations, and 290 remote stations. The system provides state-of-the-art, near real-time, automated control of the distribution and production activities of the 17 member cooperatives. More specifically, the system is used for remote site control, which includes opening and closing breakers and turning power factor corrections on or off, depending upon system requirements at a given time. Additionally, the system is used for remote reading of substation meters, and general telemetry in connection with line currents and voltages.

3. The MAS system, accordingly, is critical to a wide variety of activities and tasks required to operate Cooperative Power's extensive utility infrastructure. By permitting these activities to be conducted remotely and through automation, the MAS system permits a level of efficiency and reliability that would not otherwise be possible. Based on the foregoing, Cooperative Power has an extraordinary interest in the manner in which MAS services are regulated by the FCC, and in this proceeding in particular.

II. Discussion

4. Cooperative Power supports the FCC in its continuing efforts "to facilitate the further development and implementation of MAS."^{1/} Cooperative Power wishes to emphasize the importance of the designation of MAS spectrum for private use, such as that in which Cooperative Power is engaged. Cooperative Power submits that such private use will continue to serve critical public interests and must be maintained.

The FCC Should Adopt a Purely Private Allocation in the 928/952/956 Bands

5. In the Notice, the FCC tentatively concludes that, while the 928/952/956 MHz bands are the subject of some common carrier use, those bands are used "overwhelmingly for private service."^{2/} Based on this determination, the FCC concludes that 928/952/956 MHz should be designated exclusively for private, internal use, with existing subscriber-based services given grand-fathered status in those bands.^{3/}

6. Cooperative Power strongly supports the FCC's conclusions in this connection. As discussed above, Cooperative Power currently engages in vigorous use of its MAS spectrum in support of its critical internal operations. Cooperative Power

^{1/} Notice at 2.

^{2/} Notice at 12.

^{3/} Notice at 13.

expects this use to continue, and likely increase, in the future as it seeks to serve its customers, and the public in general, in the most efficient possible fashion. Cooperative Power submits that, based on the unique and stringent MAS requirements associated with utility operations, subscriber-based services generally are not suited to the needs of a large utility. Accordingly, there will always be a need for private MAS systems, such as Cooperative Power's.

7. Cooperative Power therefore submits that it is essential that it, and similarly situated MAS users, have available a designated pool of spectrum from which to meet their system needs. This is particularly true in light of the FCC's conclusions with regard to the remaining MAS spectrum. Unless the 928/952/926 MHz bands are designated as exclusive to private use, they will inevitably be targeted by subscriber-based providers seeking refuge from the auction provisions proposed for other bands.

Geographic Area Licensing is Not an Appropriate Means of Allocating 928/952/956 MHz Spectrum

8. In the Notice, the FCC asks for comment on the possibility of licensing the 928/952/956 MHz bands on a geographic basis, even in the event that it concludes that the use of those bands is predominantly private in nature.^{4/} Cooperative Power urges the FCC not to adopt geographic area

^{4/} Notice at 15.

licensing for the 928/952/956 MHz bands. As discussed above, the FCC should in fact preserve the private character of these bands by designating them solely for such purposes. In this event, site specific licensing remains the most reasonable and appropriate means of allocating the private-use spectrum bands. The commercial context necessarily carries with it built in incentives for wide scale build-out and coverage. In a private context, buildout and use is dictated by the specific needs of the licensee. The grant of geographic area licenses in the private bands, therefore, would generally limit access to spectrum, without necessarily resulting in vigorous spectrum utilization. In short, site-by-site remains the only practical licensing method for the 928/952/956 MHz bands.

III. Conclusion

9. Cooperative Power supports the FCC's tentative conclusions in connection with the designated use of the 928/952/956 MHz bands. Cooperative urges the FCC to adopt these conclusions in formulating its policy to govern the MAS bands.

WHEREFORE, THE PREMISES CONSIDERED, Cooperative Power Association urges the Commission to consider these Comments and to proceed in a manner consistent with the views expressed herein.

Respectfully submitted,

COOPERATIVE POWER ASSOCIATION

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